IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 24858 of 2003

Between:

M/s. IMP Power Limited [Formerly known as Industrial Meters Limited] a Company incorporated under the Companies Act, 1956 having its registered Head office at "Advent" 7th floor,12-A Gen.J.Bhosale Marg, Mumbai-400021 and its factory at Sayli UmerkuinRoad,[Dadra & Nagar Haveli] Silvassa[U.T.] represented by its Vice President (operation),Hyderabad.

..... PETITIONER

AND

1 Trasnmission Corporation of A.P.Limited, represented by its Chairman-cum-Managing Director, Vidyuthsoudha, Hyderabad.
2 The Government of India, represented by its the Secretary Ministry of Commerce and
Industry, Department of Commerce, Udyog Bhavan, New Delhi-110 001.
3 The Government of India, represented by its Secretary, Ministry of Finance, Department of Revenue Udyog Bhavan, New Delhi-110 001.
4 The Central Board of Excise & Customs, represented by its Chairman, North Block,
New Delhi-110001.
5 Directorate General of Central Intelligence West Zone, 3rd floor, NTC House, 15, M.V. Marg, Ballard Estate, Mumbai-4000038

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, direction or order especially in the nature of Writ of Mandamus declaring the letter dated 9th July, 2002 issued by the Respondent No.1 as illegal and void

and consequently declare and hold that the said duty exemption certificate have been issued validly and the petitioner is entitled to claim benefit of Notification No.108 of 1995 dated 28.08.1995.

Counsel for the Petitioner: MR.M.S.SRINIVASA IYENGAR

Counsel for the Respondent No.: MR.M.SRIRAMULU REDDY (SC FOR APTRANSCO)

Standing Counsel for Respondents 2 to 4: MR.A.RAJASEKHARA REDDY

The Court made the following:

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ORAL ORDER: (per GB. J.)

It is submitted by the learned Standing Counsel for the Central Government that similar and identical Writ Petition, viz., Writ Petition No.2980 of 2002, dated 7.3.2005, as that of this Writ Petition, was dismissed by this Court.

2. Recording the above submission and following the ratio laid down in the judgment referred to above, this Writ Petition is also dismissed. No costs.

(G.BIKSHAPATHY, J.)

8th April, 2005.

(P.S.NARAYANA, J.)

SSR

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Chairman-cum-Managing Director, Trasnmission Corporation of A.P.Limited,
Vidyuthsoudha, Hyderabad.
2 The Secretary Ministry of Commerce and Industry, Department of Commerce, Government of India, Udyog Bhavan, New Delhi-110 001.
3 The Secretary, Ministry of Finance, Department of Revenue, Government of India,
Udyog Bhavan, New Delhi-110 001.
4 The Chairman, Central Board of Excise & Customs, North Block,
New Delhi-110001.

5 Director General of Central Intelligence West Zone, 3rd floor, NTC House, 15, M.V. Marg, Ballard Estate, Mumbai-4000038

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